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Attorney for Defendant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCO A. RIVERA,

Defendant.

NO. 3:03-cr-00109-02-RRB

**MOTION ON SHORTENED TIME
FOR EXPEDITED
CONSIDERATION OF THE
DEFENDANT'S MOTION TO
REDUCE SENTENCE TO TIME
SERVED**

Marco Rivera asks this court to order expediting consideration of his motion to reduce his sentence to a time-served sentence. Expedited consideration is appropriate because proper application of the retroactive cocaine base amendment to the United States Sentencing Guidelines results in a 57-month sentence. Mr. Rivera's current release date is June 28, 2008. As a consequence, he has already served more than 57 months and is entitled to immediate release. Accordingly, he is asking the court and the government to expedite consideration of this motion to reduce sentence.

This motion is submitted pursuant to D.Ak.L.Crim.R. 47.1 and is based upon the affidavit of counsel filed here with.

DATED at Anchorage, Alaska this 3rd day of March 2008.

Respectfully submitted,

/s/Kevin F. McCoy
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Certification:

I certify that on March 3, 2008,
a copy of the ***Motion on Shortened
Time for Expedited Consideration
of the Defendant's Motion to Reduce
Sentence to Time Served*** was served
electronically on:

Joseph Bottini
Assistant United States Attorney
U.S. Attorney's Office
222 West Seventh Avenue #9, Room 253
Anchorage, AK 99513-7567

/s/Kevin F. McCoy